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18 **UNITED STATES DISTRICT COURT**
19 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

20 THE NEXT VIETNAM PROJECTS
21 FOUNDATION, INC.; RADIX
22 FOUNDATION A/K/A VIETNAM
23 VETERANS FOR FACTUAL HISTORY;
24 SAIGON BROADCASTING
25 TELEVISION NETWORK, INC.; MY
26 VAN INTERNATIONAL, INC.; NAM
27 PHAM; CARINA OANH HOANG; DIEP
28 PHAN; TRONG PHAN; SON NGUYEN;
THANH PHUONG LE and MINH
NGUYEN,

Plaintiffs,

v.

KOSTER FILMS, LLC and FREDERICK
KOSTER

Defendants.

FREDERICK KOSTER, an individual,

Counterclaimant,

v.

NEXT VIETNAM PROJECTS
FOUNDATION, INC., ET AL.,

Counter-Defendants.

Case No. 8:22-cv-02130-JWH-DFM

**MEMORANDUM OF POINTS
AND AUTHORITIES IN
SUPPORT OF MOTION TO
SUBSTITUTE COUNSEL FOR
THE PLAINTIFFS**

Date: April 19, 2024

Time: 9:00 AM

Room: 9D

District Judge: Hon. John W.
Holcomb

Mag. Judge: Hon. Douglas F.
McCormick

MEMORANDUM OF POINTS AND AUTHORITIES

I. Introduction

Counsel for Procopio, Cory, Hargreaves & Savitch LLP (“Procopio”) respectfully brings this motion to substitute Kasowitz Benson Torres LLP (“Kasowitz”) as counsel as counsel for all plaintiffs (collectively, “Plaintiffs”) and to withdraw from their representation of Plaintiffs (the “Motion”). Plaintiffs have selected Kasowitz to represent them in this matter going forward and Kasowitz has already appeared in this matter. Procopio also provided written notice to Plaintiffs of the substitution and Procopio’s withdrawal, and none of Plaintiffs opposes substitution of counsel or Procopio’s withdrawal. Procopio accordingly respectfully requests that this Court substitute in Kasowitz as counsel of record for Plaintiffs, and grant leave to Procopio to withdraw from their representation of Plaintiffs.

II. Argument

Plaintiffs have informed Procopio that they wish for Kasowitz to represent them in this matter going forward, which Procopio has confirmed in writing. (Declaration of Jacob Kevin Poorman (“Poorman Decl.”) at ¶ 2.) Procopio is amenable to this substitution and Kasowitz has already appeared. (*Id.* at ¶ 2; Dkt. No. 106.) Procopio met and conferred with Frederick Koster on behalf of Defendants regarding this Motion, pursuant to Local Civil Rule 7-3, and Mr. Koster has not indicated that he opposes the Motion. (Poorman Decl. at ¶ 3.) Substituting Kasowitz in as counsel for Plaintiffs in this matter, and granting Procopio leave to withdraw from its representation of Plaintiffs, is therefore appropriate.

III. Conclusion

For the foregoing reasons, Procopio respectfully requests that the Court issue an order substituting in Kasowitz as counsel of record for Plaintiffs in this action and granting Procopio leave to withdraw from its representation of Plaintiffs.

1 DATED: March 15, 2024

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PROCOPIO, CORY, HARGREAVES &
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By: /s/ Jacob Poorman
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Attorneys for Plaintiffs